

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	File Number EB-07-RC-003
)	
Circuit City Stores, Inc.)	NAL/Acct. No. 200732200002
)	
Richmond, VA)	FRN # 0003753686
)	

NOTICE OF APPARENT LIABILITY FOR FORFEITURE

Adopted: April 9, 2008

Released: April 10, 2008

By the Commission:

I. INTRODUCTION

1. In this *Notice of Apparent Liability for Forfeiture* (“NAL”), we find that Circuit City Stores, Inc. (“Circuit City”) apparently willfully and repeatedly violated Section 15.117(k) of the Commission's Rules (“Rules”)¹ by failing to place the required Consumer Alert label immediately adjacent to and clearly associated with television receiving equipment that contains an analog broadcast television tuner but does not contain a digital broadcast television tuner (hereinafter “analog-only tuner”) that it displayed or offered for sale or rent. We conclude, pursuant to Section 503(b) of the Communications Act of 1934, as amended (“Act”),² that Circuit City is apparently liable for a forfeiture in the amount of seven hundred twelve thousand dollars (\$712,000).

II. BACKGROUND

2. Congress has established February 17, 2009 as the deadline for the end of analog transmissions for full power television stations. The Commission is statutorily obligated to promote the orderly transition to digital television, “a critical step in the evolution of broadcast television.”³ As we stated previously, “[w]e are committed to ensuring the rapid completion of that transition in a way that delivers the greatest possible benefits to the viewing public.”⁴ As part of that commitment and in light of the upcoming deadline, we recently announced that “it is necessary and appropriate to require retailers to provide consumers with information regarding this transition date at the point of sale.”⁵ We reached this conclusion after determining that consumer electronics industry efforts had not adequately informed

¹ 47 C.F.R. § 15.117(k).

² 47 U.S.C. § 503(b).

³ 2002 *Biennial Regulatory Review*, Report and Order and Notice of Proposed Rulemaking, 18 FCC Rcd 13620, 13825 ¶ 532 (2003).

⁴ *Id.*

⁵ *Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion To Digital Television*, Second Report and Order, 22 FCC Rcd 8776 at ¶ 1 (2007) (“*Second DTV Periodic Report and Order*”).

consumers how analog-only television equipment purchased now will function when the transition to digital broadcasting ends.⁶

3. To ensure that consumers do not inadvertently buy analog-only television equipment without understanding that such devices will not be capable of receiving off-the-air television reception of digital signals after analog broadcasting ends unless connected to a digital-to-analog converter or a digital subscription service, we adopted rules requiring anyone that sells, offers for sale, or rents television receiving equipment that does not contain a digital television (“DTV”) tuner to display a Consumer Alert at the point of sale.⁷ This requirement also applies to the sale or rent of analog-only television receiving equipment via direct mail, catalog, or electronic means (*e.g.*, the Internet). These requirements are contained in Section 15.117(k) of the Rules, which became effective on May 25, 2007.⁸

4. Section 15.117(k)(3) of the Rules requires that the Consumer Alert contain the following language:

CONSUMER ALERT

This television receiver has only an analog broadcast tuner and will require a converter box after February 17, 2009, to receive over-the-air broadcasts with an antenna because of the Nation’s transition to digital broadcasting. Analog-only TVs should continue to work as before with cable and satellite TV services, gaming consoles, VCRs, DVD players, and similar products. For more information, call the Federal Communications Commission at 1-888-225-5322 (TTY: 1-888-835-5322) or visit the Commission’s digital television website at: www.dtv.gov.

The Consumer Alert must be in a size of type large enough to be clear, conspicuous and readily legible, consistent with the dimensions of the equipment and the label. The alert either must be printed on a transparent material and affixed to the screen, in a manner that is removable by the consumer and does not obscure the picture when displayed for sale, or displayed separately immediately adjacent to each television receiver offered for sale and clearly associated with the analog-only model to which it pertains.⁹ In the case of other analog-only video devices that do not include a display (*e.g.*, VCRs, DVD players), the Consumer Alert must be in a prominent location on the device, such as on the top or front, or displayed separately immediately adjacent to and clearly associated with the analog-only model to which it pertains.¹⁰ To the extent that any persons display or offer for sale or rent via direct mail, catalog, or electronic means analog-only television receiving equipment, they must prominently display the Consumer Alert as part of all advertisements or descriptions of such television receiving equipment, in clear and conspicuous print, and in close proximity to any images or descriptions of such equipment.¹¹

5. Immediately after the rule became effective, the Commission’s Enforcement Bureau began inspecting hundreds of stores throughout the country, as well as dozens of popular retailer websites, and

⁶ *Id.* at ¶ 10.

⁷ *Second DTV Periodic Report and Order* at ¶ 14. See 47 C.F.R. § 15.117(k). In the *Second DTV Periodic Report and Order*, the Commission defined “point of sale” as the “place where televisions are displayed for consumers prior to purchase.” See *Second DTV Periodic Report and Order* at n.29.

⁸ *Second Periodic Review in the Commission’s Rules and Policies Affecting the Conversion to Digital Television*, 72 Fed. Reg. 28894-01 (May 23, 2007).

⁹ 47 C.F.R. § 15.117(k)(1).

¹⁰ *Id.*

¹¹ 47 C.F.R. § 15.117(k)(2).

observed many models of analog-only television receiving equipment on display without the required Consumer Alert labels. On May 31, 2007, the Enforcement Bureau issued a Citation to Circuit City for offering for sale television receiving equipment having an analog-only tuner without displaying the required Consumer Alert in close proximity.¹² On June 6, 2007, the Enforcement Bureau issued a Citation to Circuit City for offering for sale on its online retail outlet, www.circuitcity.com, television receiving equipment having an analog-only tuner without displaying the required Consumer Alert in close proximity.¹³ Between May 31, 2007 and June 11, 2007, the Enforcement Bureau conducted inspections at numerous stores and, based on these inspections, issued additional Citations to Circuit City for violations at its stores.¹⁴ After affording Circuit City a reasonable opportunity to respond to the first Citations issued to Circuit City,¹⁵ agents and investigators from the Enforcement Bureau began inspecting numerous additional Circuit City stores on June 19, 2007 in various states and once again observed in twenty-five Circuit City stores television receiving equipment with analog-only tuners on display without the required Consumer Alert labels.¹⁶

6. Under Section 503(b)(1) of the Act, any person who is determined by the Commission to have willfully or repeatedly failed to comply with any provision of the Act or any rule, regulation, or order issued by the Commission shall be liable to the United States for a forfeiture penalty.¹⁷ Section 312(f)(1) of the Act defines willful as “the conscious and deliberate commission or omission of [any] act, irrespective of any intent to violate” the law.¹⁸ The legislative history to Section 312(f)(1) of the Act clarifies that this definition of willful applies to both Sections 312 and 503(b) of the Act¹⁹ and the Commission has so interpreted the term in imposing forfeitures pursuant to Section 503(b).²⁰ The

¹² *Circuit City Stores, Inc.*, Citation No. C20073232003 (Enf. Bur. Chicago Office, rel. May 31, 2007).

¹³ *Circuit City Stores, Inc.*, Citation No. EB-07-SE-182 (Enf. Bur. Spectrum Enforcement Division, rel. June 6, 2007).

¹⁴ See Attachment A for a list of the citations issued to Circuit City (collectively “*Citations*”). In preparing the *Citations*, Enforcement Bureau staff relied on publicly available information, including retailer websites, to identify the television receiving equipment with analog-only tuners. Subsequently, Enforcement Bureau staff determined that the following Citations referred, in whole or in part, to erroneously identified equipment models: Circuit City Citation No. C20073264006 (Samsung DVD/Recorder, Model DVDVR357; Toshiba DVD/Recorder, Model DR400); Circuit City Citation No. C20073280005 (All Models); Circuit City Citation No. C20073260003 (Philips Model 27PC4326; Sharp Model 32SF56B); Circuit City Citation No. C20073264006 (Samsung DVD/Recorder DVDVR357; Toshiba TV 20H63; Toshiba DVD/Recorder, DR400); Circuit City Citation No. C20073270007 (Samsung DVD/VCR Recorder, SAMDVDVR357; Sharp 32” TV, Model SHA32SF56B); Circuit City Citation No. C20073226003 (Nexxtech DVD, Model NVV-N400H; Nexxtech DVD, Model NXX-N400H; Prima TV Model PRACV1311); Circuit City Citation No. C20073262004 (Toshiba TV/DVD MD20H63); Circuit City Citation No. C20073294009 (Samsung DVD/Recorder, DVDVR357; Toshiba DVD/Recorder, DR400). In light of this evidence, we hereby cancel the relevant portions of the above citations with respect to those models.

¹⁵ On June 18, 2007, counsel for Circuit City submitted a response to the Citations issued to Circuit City as of June 12, 2007. See Letter from Robert S. Schwartz, Esq., Constantine Cannon, to Kris A. Monteith, Chief, Enforcement Bureau, FCC, dated June 18, 2007.

¹⁶ See Attachment B for a listing of the stores visited and the models observed at each store. Enforcement Bureau staff determined that these models had analog-only tuners by consulting the manufacturer’s product manuals or, if such were unavailable, the models’ technical specifications from Circuit City’s website.

¹⁷ 47 U.S.C. § 503(b)(1)(B); 47 C.F.R. § 1.80(a)(2).

¹⁸ 47 U.S.C. § 312(f)(1).

¹⁹ H.R. Rep. No. 97-765, 97th Cong. 2d Sess. 51 (1982).

²⁰ See, e.g., *Application for Review of Southern California Broadcasting Co.*, Memorandum Opinion and Order, 6 FCC Rcd 4387, 4388 (1991) (“*Southern California Broadcasting Co.*”).

Commission may also assess a forfeiture for violations that are merely repeated, and not willful.²¹ “Repeated” means that the act was committed or omitted more than once, or lasts more than one day.²² To impose such a forfeiture penalty, the Commission must issue a notice of apparent liability and the person against whom the notice has been issued must have an opportunity to show, in writing, why no such forfeiture penalty should be imposed.²³ The Commission will then issue a forfeiture if it finds by a preponderance of the evidence that the person has violated the Act or a Commission rule.²⁴ As we set forth below, we conclude under this standard that Circuit City is apparently liable for forfeiture for its apparent willful and repeated violations of Section 15.117(k) of the Commission’s rules.

III. DISCUSSION

7. Based on the evidence before us, we find that Circuit City apparently willfully and repeatedly violated Section 15.117(k) of the Rules by failing to display conspicuously and in close proximity to equipment with an analog-only tuner, in clear and conspicuous print, the required Consumer Alert label. Specifically, as detailed in Attachment B, agents and investigators from the Enforcement Bureau observed a number of different models of television receiving equipment having only an analog-only tuner on display in twenty-four Circuit City stores without the required Consumer Alert labels.²⁵ Circuit City previously received thirty-two Citations for this same type of conduct prior to the agents’ inspections.²⁶

8. Under Section 503(b)(2)(D) of the Act,²⁷ we may assess an entity that is neither a common carrier, broadcast licensee or cable operator a forfeiture of up to \$11,000 for each violation or each day of a

²¹ See, e.g., *Callais Cablevision, Inc., Grand Isle, Louisiana*, Notice of Apparent Liability for Monetary Forfeiture, 16 FCC Rcd 1359, 1362, ¶ 10 (2001) (“*Callais Cablevision*”) (issuing a Notice of Apparent Liability for, *inter alia*, a cable television operator’s repeated signal leakage).

²² *Southern California Broadcasting Co.*, 6 FCC Rcd at 4388, ¶ 5; *Callais Cablevision, Inc.*, 16 FCC Rcd at 1362, ¶ 9.

²³ 47 U.S.C. § 503(b); 47 C.F.R. § 1.80(f).

²⁴ See, e.g., *SBC Communications, Inc.*, Forfeiture Order, 17 FCC Rcd 7589, 7591, ¶ 4 (2002) (forfeiture paid).

²⁵ Attachment B lists the dates of the Enforcement Bureau inspections, the analog-only models identified in violation of Section 15.117(k), as well as the Circuit City stores involved.

²⁶ Section 503(b)(5) states that no forfeiture liability shall be determined against any person who does not hold a license, permit, certificate, or other authorization issued by the Commission unless, prior to issuance of any Notice of Apparent Liability, such person is “(A) sent a citation of the violation charged; (B) is given a reasonable opportunity for a personal interview with an official of the Commission at the field office of the Commission which is nearest to such person’s place of residence; and (C) subsequently engages in conduct of the type described in such citation.” 47 U.S.C. § 503(b)(5). The apparent violations discussed in this *NAL* are subject to forfeiture because we afforded Circuit City a reasonable opportunity for a personal interview or to submit a written response to its first Citation before conducting a second round of inspections that would count towards potential forfeiture liability. See *supra* para. 5 and notes 14, 17. To the extent that the television receiving models involved in this *NAL* differ from those listed in the *Citations*, no additional citations are necessary because the more recent apparent violations are “conduct of the type described” in the earlier *Citations* – violations of Section 15.117(k). See *HighTech CB Shop*, Forfeiture Order, 20 FCC Rcd 12514, 12516 ¶ 9 (Enf. Bur. South Central Region 2005), *recon. denied*, 20 FCC Rcd 19269 (Enf. Bur. 2005). In any event, the requirements of Section 503(b)(5) do not apply to Circuit City, which is a Commission licensee and therefore subject to forfeiture under Section 503(b)(2) of the Act without first receiving notice via a citation. See, e.g., Stations WPKY295, WPZV695, WQGX521, licensed to Circuit City in the Industrial/Business Pool Private Land Mobile Service.

²⁷ 47 U.S.C. § 503(b)(2)(D). The Commission twice amended Section 1.80(b)(3) of the Rules, 47 C.F.R. § 1.80(b)(3), to increase the maximum forfeiture amounts, in accordance with the inflation adjustment requirements contained in the Debt Collection Improvement Act of 1996, 28 U.S.C. § 2461. See *Amendment of Section 1.80 of the Commission’s Rules and Adjustment of Forfeiture Maxima to Reflect Inflation*, Order, 15 FCC Rcd 18221 (2000)

(continued....)

continuing violation, up to a statutory maximum forfeiture of \$97,500 for any single continuing violation. In exercising such authority, we must take into account “the nature, circumstances, extent, and gravity of the violation and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require.”²⁸

9. The Commission’s *Forfeiture Policy Statement*²⁹ and Section 1.80 of the Rules do not establish a specific base forfeiture for violation of the analog-only tuner labeling requirements. In adopting the Consumer Alert labeling requirements, the Commission stated that “[a]ccurate communication of this impending change is a highly material disclosure for consumers contemplating the purchase of a television.”³⁰ We also noted that it is a matter of public safety for consumers who rely on analog-only televisions to obtain critical emergency information.³¹

10. Similar issues arose regarding labeling requirements for wireless hearing aid-compatible handsets. In those cases, the Enforcement Bureau established a base forfeiture amount of \$8,000 per handset model that failed to comply with the labeling requirements.³² The labeling requirements for wireless hearing aid-compatible handsets and the analog-only tuner labeling requirements both serve the important goal of ensuring that consumers have access to necessary information. In light of the similarities in these labeling requirements, we conclude that a \$8,000 base forfeiture amount per unlabeled model or device in each store where Bureau agents and investigators observed a violation is appropriate for apparent violations of Section 15.117(k).³³

11. We find that, beginning on June 19, 2007, as detailed in Attachment B, even after receiving the *Citations* warning of violations in its stores across the country, Circuit City displayed numerous different models of equipment with an analog-only tuner in twenty-five Circuit City stores without the required Consumer Alert label. As a result, Circuit City continued to market television receiving equipment to consumers without adequately warning that the equipment contained an analog-only television receiver. Those consumers may not learn of their equipment’s limitations until the analog-only devices cease to receive over-the-air television signals, long after any period for returning the equipment has expired. This scenario is precisely the outcome that our rule was intended to prevent.³⁴ Applying the analysis set forth

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(adjusting the maximum statutory amounts from \$10,000/\$75,000 to \$11,000/\$87,500); *Amendment of Section 1.80 of the Commission’s Rules and Adjustment of Forfeiture Maxima to Reflect Inflation*, Order, 19 FCC Rcd 10945 (2004) (adjusting the maximum statutory amounts from \$11,000/\$87,500 to \$11,000/\$97,500).

²⁸ 47 U.S.C. § 503(b)(2)(E). See also 47 C.F.R. § 1.80(b)(4), Note to paragraph (b)(4): Section II. Adjustment Criteria for Section 503 Forfeitures.

²⁹ See *The Commission’s Forfeiture Policy Statement and Amendment of Section 1.80 of the Rules to Incorporate the Forfeiture Guidelines*, Report and Order, 12 FCC Rcd 17087, 17115 (1997), *recon. denied*, 15 FCC Rcd 303 (1999) (“*Forfeiture Policy Statement*”).

³⁰ *Second DTV Periodic Report and Order* at ¶ 12.

³¹ *Id.* See also 47 C.F.R. §§ 11.1-11.61, 79.2.

³² See *Pine Telephone Inc.*, Notice of Apparent Liability, 22 FCC Rcd 9205, 9210 (Enf. Bur., Spectrum Enf. Div. 2007) subsequent history omitted; *IT&E Overseas, Inc.*, Notice of Apparent Liability, 22 FCC Rcd 7660, 7665 (Enf. Bur., Spectrum Enf. Div. 2007).

³³ We caution Circuit City and other retailers that future cases involving repeat offenders may result in the imposition of forfeitures on a continuing violation basis.

³⁴ “After the transition, absent a label requirement, even cable and satellite subscribers might be surprised to find that they cannot receive television broadcasts over-the-air on an analog-only television purchased today if they choose to discontinue subscription service or their cable or satellite service is terminated by disaster, service disruption, or for non-payment of their bills.” *Second DTV Periodic Report and Order* at ¶ 12.

above to the facts of this case, we conclude that Circuit City is apparently liable for a \$712,000 base forfeiture.³⁵

IV. ORDERING CLAUSES

12. Accordingly, **IT IS ORDERED** that, pursuant to Section 503(b) of the Communications Act of 1934, as amended, and Section 1.80 of the Commission's Rules, Circuit City Stores, Inc. is hereby **NOTIFIED** of this **APPARENT LIABILITY FOR A FORFEITURE** in the amount of seven hundred twelve thousand dollars (\$712,000) for violations of Section 15.117(k) of the Rules.³⁶

13. **IT IS FURTHER ORDERED** that, pursuant to Section 1.80 of the Commission's Rules within thirty days of the release date of this Notice of Apparent Liability for Forfeiture, Circuit City Stores, Inc. **SHALL PAY** the full amount of the proposed forfeiture or **SHALL FILE** a written statement seeking reduction or cancellation of the proposed forfeiture.

14. Payment of the forfeiture must be made by check or similar instrument, payable to the order of the Federal Communications Commission. The payment must include the NAL/Account Number and FRN Number referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000. Payment by overnight mail may be sent to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101. Payment[s] by wire transfer may be made to ABA Number 021030004, receiving bank TREAS/NYC, and account number 27000001. For payment by credit card, an FCC Form 159 (Remittance Advice) must be submitted. When completing the FCC Form 159, enter the NAL/Account number in block number 23A (call sign/other ID), and enter the letters “FORF” in block number 24A (payment type code). Requests for full payment under an installment plan should be sent to: Chief Financial Officer -- Financial Operations, 445 12th Street, S.W., Room 1-A625, Washington, D.C. 20554. Please contact the Financial Operations Group Help Desk at 1-877-480-3201 or Email: ARINQUIRIES@fcc.gov with any questions regarding payment procedures.

15. The response, if any, must be mailed to Federal Communications Commission, Enforcement Bureau, and must include the NAL/Acct. No. referenced in the caption.

16. The Commission will not consider reducing or canceling a forfeiture in response to a claim of inability to pay unless the petitioner submits: (1) federal tax returns for the most recent three-year period; (2) financial statements prepared according to generally accepted accounting practices ("GAAP"); or (3) some other reliable and objective documentation that accurately reflects the petitioner's current financial status. Any claim of inability to pay must specifically identify the basis for the claim by reference to the financial documentation submitted.

³⁵ See Attachment B regarding the calculation of the total proposed forfeiture amounts.

³⁶ 47 U.S.C. § 503(b), 47 C.F.R. §§ 1.80, 15.117(k).

17. **IT IS FURTHER ORDERED** that a copy of this *Notice of Apparent Liability for Forfeiture* shall be sent by Certified Mail, Return Receipt Requested, and regular mail, to Circuit City Stores, Inc. at its address of record and Robert S. Schwartz, counsel for Circuit City Stores, Inc., at his address of record.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

Attachment A

CITATIONS

Store #- Location	Citation No.	Release Date
#3111 Schaumburg, IL	C20073232003	May 31, 2007
#3672 Westbury, NY	C20073238012	May 31, 2007
#3347 Lakewood, CO	C20073280005	May 31, 2007
Clearwater, FL	C20073270007	June 1, 2007
#3319 Bellevue, WA	C20073298006	June 1, 2007
Tampa, FL	C20073270005	June 1, 2007
Miami, FL (Doral)	C20073260003	June 1, 2007
Culver City, CA	C20073290017	June 1, 2007
Buena Park, CA	C20073290018	June 1, 2007
#542 Houston, TX	C20073254002	June 1, 2007
#817 Virginia Beach, VA	C20073264006	June 1, 2007
#3220 Duluth, GA	C200732480005	June 1, 2007
#543 Plano, TX	C2007325005	June 4, 2007
#3770 Taunton, MA	C20073226002	June 4, 2007
#443 San Diego, CA	C20073294009	June 4, 2007
#3210 Independence, MO	C20073256005	June 5, 2007
#3556 Philadelphia, PA	C20073240010	June 5, 2007
#3321 Tacoma, WA	C20073298011	June 5, 2007
#3608 Novi, MI	C20073236006	June 5, 2007
#423 Fresno, CA	C20073296010	June 6, 2007
Plantation, FL	C20073260008	June 7, 2007
#3336 Tukwila, WA	C20073298014	June 8, 2007
#4101 Montgomeryville, PA	C20073240022	June 11, 2007
#1816 Milford, CT	C20073226007	June 11, 2007

#3627 Hanover, MD	C20073234009	June 12, 2007
#3663 Brooklyn, NY	C20073238028	June 14, 2007
#3694 Valley Stream, NY	C20073238023	June 14, 2007
#3688 North Bergen, NJ	C20073238017	June 14, 2007
#3305 Tuscon, AZ	C20073294018	June 21, 2007
#4302 San Jose, CA	C20073296027	June 21, 2007
#270 Las Vegas	C20073290036	June 26, 2007
www.circuitcity.com	EB-07-SE-182 DA 07-2369	June 6, 2007

Attachment B

PROPOSED FORFEITURE AMOUNTS**1. June 19, 2007, Circuit City # 849, Miami, FL**

Manufacturer	Device	Model #	Forfeiture Amount	
Polaroid	Television	PCB TDM1311	\$8,000	
Symphonic	Television	ST414FG	\$8,000	
			SUBTOTAL	\$16,000

2. June 19, 2007, Circuit City Store #3307, Albuquerque, NM

Manufacturer	Device	Model #	Forfeiture Amount	
Pye	DVD/VCR	PY90VG	\$8,000	
Panasonic	DVD	DMR-ES35V	\$8,000	
			SUBTOTAL	\$16,000

3. June 19, 2007, Circuit City Store #3411, Buford, GA

Manufacturer	Device	Model #	Forfeiture Amount	
Symphonic	TV/DVD/VCR	SC724FDF	\$8,000	
			SUBTOTAL	\$8,000

4. June 19, 2007, Circuit City Store #3378, Albuquerque, NM

Manufacturer	Device	Model #	Forfeiture Amount	
Samsung	DVD Recorder	DVD-VR330	\$8,000	
			SUBTOTAL	\$8,000

5. June 19, 2007, Circuit City Store #3269, Tampa, FL

Manufacturer	Device	Model #	Forfeiture Amount	
Polaroid	TV/DVD	PCBTDM1421C	\$8,000	
Symphonic	TV/DVD/VCR	SC720FDF	\$8,000	
Symphonic	TV	ST414FG	\$8,000	
			SUBTOTAL	\$24,000

6. June 19, 2007, Circuit City Store # 3691, Staten Island, NY

Manufacturer	Device	Model #	Forfeiture Amount	
Panasonic	DVD	DMR-ES25	\$8,000	
Panasonic	DVD	DMR-ES35VS	\$8,000	
Panasonic	DVD/VCR	DMR-EH75V	\$8,000	
Philips	DVD/VCR	DVP3150V	\$8,000	
PYE	DVD	PY90DG	\$8,000	
PYE	DVD/VCR	PY90VG	\$8,000	
Samsung	DVD/VCR	DVDV5650	\$8,000	
Sony	DVD	RDRGX330	\$8,000	
Sony	DVD/VCR	RDRVX530	\$8,000	
Sony	DVD/VCR	SLVD370P	\$8,000	
Symphonic	TV	ST414FG	\$8,000	
			SUBTOTAL	\$88,000

7. June 19, 2007, Circuit City Store #434, San Diego, CA

Manufacturer	Device	Model #	Forfeiture Amount	
Polaroid	TV	FLM1514B	\$8,000	
Polaroid	TV	TDM1421C	\$8,000	
Pye	DVD recorder	PY90DG	\$8,000	
			SUBTOTAL	\$24,000

8. June 19, 2007, Circuit City Store #3617, West Mifflin, PA

Manufacturer	Device	Model #	Forfeiture Amount	
Panasonic	TV/DVD/VCR	PAN PVDF2036M	\$8,000	
Symphonic	TV/DVD/VCR	SC720FDF	\$8,000	
Samsung	DVD RW/VCR	DVDVR330	\$8,000	
			SUBTOTAL	\$24,000

9. June 20, 2007, Circuit City, Woodland Hills, CA

Manufacturer	Device	Model #	Forfeiture Amount	
Polaroid	TV/DVD	TTM2003	\$8,000	
Polaroid	TV/DVD	TDM-1421C	\$8,000	
Symphonic	TV	ST414FG	\$8,000	
			SUBTOTAL	\$24,000

10. June 20, 2007, Circuit City Store #3125, Bloomingdale, IL

Manufacturer	Device	Model #	Forfeiture Amount	
Symphonic	TV	ST413E	\$8,000	
Symphonic	TV	ST414FG	\$8,000	
Samsung	TV	TXR1635	\$8,000	
Magnavox	TV	14MS2331	\$8,000	
Polaroid	TV-DVD	TDM1311	\$8,000	
Panasonic	TV-DVD	PVDF2035	\$8,000	
Polaroid	TV-DVD	TDM1421C	\$8,000	
Magnavox	TV-DVD-VDR	24MC4306	\$8,000	
			SUBTOTAL	\$64,000

11. June 20, 2007, Circuit City Store #433, San Diego, CA

Manufacturer	Device	Model #	Forfeiture Amount	
Pye	DVD recorder	PY90DG	\$8,000	
Symphonic	TV	SC520FDF	\$8,000	
Polaroid	TV	TDM1311	\$8,000	
Symphonic	TV	ST414FG	\$8,000	
Polaroid	TV	FLM1514B	\$8,000	
			SUBTOTAL	\$40,000

12. June 20, 2007, Circuit City Store #3327, San Diego, CA

Manufacturer	Device	Model #	Forfeiture Amount	
Polaroid	TV	FLM1514B	\$8,000	
Polaroid	TV	TTM2003	\$8,000	
Magnavox	TV	13MT143S	\$8,000	
Magnavox	TV	14MS2331	\$8,000	
Symphonic	TV	ST413E	\$8,000	
Symphonic	TV	SC720FDF	\$8,000	
Pye	DVD rec	PY90DG	\$8,000	
Pye	DVD/VCR	PY90VG	\$8,000	
Samsung	DVD/VCR	DVDV5650	\$8,000	
Panasonic	DVD/VCR	DMRES35VS	\$8,000	
Sony	DVD/VCR	SLV-D370P	\$8,000	
			SUBTOTAL	\$88,000

13. June 20, 2007, Circuit City Store #3264, Frisco, TX

Manufacturer	Device	Model #	Forfeiture Amount	
Sylvania	Television/DVD Player	SYL6620LDT	\$8,000	
			SUBTOTAL	\$8,000

14. June 21, 2007, Circuit City Store #3763, Sparks, NV

Manufacturer	Device	Model #	Forfeiture Amount	
Polaroid	TV/DVD	TDM-1311	\$8,000	
Sony	TV	KV24FS120	\$8,000	
			SUBTOTAL	\$16,000

15. June 22, 2007, Circuit City Store #3375, Roseville, CA

Manufacturer	Device	Model #	Forfeiture Amount	
Polaroid	TV	PLR FLM-1514B	\$8,000	
Polaroid	TV/DVD	PCB FDM-0715	\$8,000	
Polaroid	TV/DVD	PCB FDM1015	\$8,000	
Symphonic	TV/DVD/VCR	SC720FDF	\$8,000	
Zenith	TV	Z20LCD1A	\$8,000	
Panasonic	DVD/VCR	DMR-ES35V	\$8,000	
Sony	DVDR	RDR-GX330	\$8,000	
Sony	DVDR/VCR	RDR-VX530	\$8,000	
Pye	DVDR	PY90DG	\$8,000	
Sony	DVD/VCR	SLVD370P	\$8,000	
Polaroid	TV	TTM2410	\$8,000	
Disney	TV	MCP/DT1350P	\$8,000	
Magnavox	TV/DVD/VCR	24MC4306	\$8,000	
			SUBTOTAL	\$104,000

16. June 22, 2007, Circuit City Store #4303, Fairfield, CA

Manufacturer	Device	Model #	Forfeiture Amount	
Polaroid	TV	PLR FLM-1514B	\$8,000	
Sony	TV	KV24FS120	\$8,000	
Panasonic	DVDR/VCR	DMR-EH75V	\$8,000	
Sony	DVDR	RDR-VX530	\$8,000	
			SUBTOTAL	\$32,000

17. June 25, 2007, Circuit City Store #3501, Dallas, TX

Manufacturer	Device	Model #	Forfeiture Amount	
Panasonic	DVD	DMR-ES35V	\$8,000	
Panasonic	DVD	DMR-EH75VS	\$8,000	
Polaroid	Under-the-cabinet TV/DVD combo	FDM1015	\$8,000	
Sony	DVD	RDR-GX330	\$8,000	
Sony	DVD	RDR-VX530	\$8,000	
			SUBTOTAL	\$40,000

18. July 11, 2007, Circuit City Store #4301, Vista, CA

Manufacturer	Device	Model #	Forfeiture Amount	
Polaroid	TV	FDM0715	\$8,000	
			SUBTOTAL	\$8,000

19. July 11, 2007, Circuit City Store #449, Escondido CA

Manufacturer	Device	Model #	Forfeiture Amount	
Polaroid	TV	FDM0715	\$8,000	
			SUBTOTAL	\$8,000

20. July 12, 2007, Circuit City Store # 893, Jacksonville, FL

Manufacturer	Device	Model #	Forfeiture Amount	
Panasonic	TV/DVD/VCR	PVDF2035	\$8,000	
			SUBTOTAL	\$8,000

21. July 19, 2007, Circuit City Store #507, Dallas, TX

Manufacturer	Device	Model #	Forfeiture Amount	
Sony	DVDR	RDR-GX330	\$8,000	
Panasonic	DVDR	DMR-ES25	\$8,000	
Polaroid	TV	TTM-2420	\$8,000	
			SUBTOTAL	\$24,000

22. October 5, 2007, Circuit City Store #443, San Diego, CA

Manufacturer	Device	Model #	Forfeiture Amount	
Panasonic	DVD recorder	DMRES15	\$8,000	
			SUBTOTAL	\$8,000

23. October 5, 2007, Circuit City Store #3627, Hanover, MD

Manufacturer	Device	Model #	Forfeiture Amount	
Symphonic	TV	ST414FG	\$8,000	
			SUBTOTAL	\$8,000

24. December 20, 2007, Circuit City Store #3522, Garland, TX

Manufacturer	Device	Model #	Forfeiture Amount	
Samsung	DVD Recorder	DVDR120	\$8,000	
PYE	VCR/DVDR	PY90VG	\$8,000	
			SUBTOTAL	\$16,000

25. March 14, 2008, Circuit City Store #3302, Palm Desert, CA

Manufacturer	Device	Model #	Forfeiture Amount	
Truetech	TV/DVD player r	KLV3112	\$8,000	
			SUBTOTAL	\$8,000

Circuit City Total Proposed Forfeiture: \$712,000